

The Daily Gazetteer.

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The Conclusion of the Defence of the Revolution.



PREROGATIVE, in its literal Meaning, ancient Sense, and constant Usage, always signified a Power inherent in the Kings of England, more than, or besides the Law; and hath, in every Reign, not excepting the Best, been terribly exerted contrary to the undoubted Law of the King-

dom; for which this Reason, among a thousand other foolish ones, hath been given, that the Law was the King's; and he might do what he would with his own.

THE Weight of this lawless Prerogative, the People of England were under at all Times, even in the glorious Reign of Queen Elizabeth; who not only governed her People, but her Parliaments too; and commanded them to act or not to act at her Pleasure.

To be delivered from this dreadful Prerogative, or Royal Exercise of Arbitrary Power, was the great, the only Design of the Revolution; and this Design was fully put in Execution and absolutely compleated, which rendered the Revolution perfect, and the Government of England perfect too, by lopping off all those Branches of Prerogative which had been found destructive to our Laws, and inconsistent with our Constitution, and by reducing us to a real State of Law; for then a Government is perfect, when the Executive Power is in entire Subordination to the Legislative; and every Act of State is an Act of Law. Imagination can't reach higher Perfection than this, that no Power can hurt us without our own Consent; for the whole Design of Government was to protect us in our Persons and Properties, against the Force and Violence of others; and, when the Government itself is so limited and chained down by strong Laws, that it can exert no Act of Power, without the Consent of the People, then are we arrived at the fullest Security of our Liberties; for 'tis ridiculous to say, that we may be corrupted, and that the Government may influence Men who will be influenced, for there is no Remedy against this; that is, there is no possible Way to be found out to keep Men from hurting themselves, from consuming their own Properties, or destroying their own Persons: That is the Business of Philosophy, not of Government; the sole Intention of which is to keep all other Men from hurting us, even the King himself, with all his Auxiliaries and Dependencies about him.

THIS was a Glory reserved for the Revolution, by which we were delivered from all Power, but the Power of the Law; which no Man in his Senses desires to be delivered from. So that we have now nothing left to do, but to repeal or amend bad Laws, and make good ones, as Occasions and Circumstances vary, and as Reason and Equity demand.

THIS is our Happiness; the Kings of England can dispense with no Laws; nor touch our Persons or Properties, but by Law, tho' those Things were eternally done before the Revolution: And, because Example strikes stronger than all the Reasoning in the World, we will briefly lay before the Reader, a View of Royal Prerogative, in doing what it would with our Persons and Properties, and with the Constitution itself; for the Truth of which we refer to the Knowledge of every Man conversant in the English History.

I have now lying before me ancient Records, Rolls, and Pleas; by which it appears, that both the Person and Property of the Subject were anciently at the Mercy of the Crown: In the Reigns of many of our Kings, several Persons, Peers of the Realm not excepted, were condemned and executed, without so much as the Form of a Trial, by the arbitrary Will and Power of the King; who, for that Purpose, directed Commissions to what Persons he pleased, to pronounce and give Judgment: To which Commissions were annexed, in a Schedule under the Great Seal, the very Words of the Judgment to be pronounced, dictated and prescribed by the Crown; not only contrary to Magna Charta and the Laws of the Realm, but to all natural Justice and Equity: So that Persons, the greatest in the Kingdom, were condemned and executed by MANDATORY LETTERS FROM THE KING, not by the Voice of their Country, or upon a Trial by their Equals: By

which Means the Crown had the Lives of any of the Subjects in its Power, as well as their Estates; for they raised Money without the least Regard to Law, by forced Benevolences, compulsive Loans, and Power absolute in the Sovereign; of which Sir Robert Cotton gives a vast Number of Instances. In the 14th of Henry the Eighth, Ten Pound in the Hundred of all Goods, Jewels, Wines and Land (and, according to the extreme Rate too, upon the Oath of the Possessors) were exacted by way of Loan; and the Refusers summoned before the Council, imprisoned, and their Goods confiscated. These Prerogative Kings would sell Licenses, and grant Monopolies with a NON OBSTANTE to all Laws in Being: They would sell our Liberties, and raise Money, after they had taken them away, by granting, restoring, and renewing them; by calling in Question the Charters and Liberties of Corporations; by selling off the Penalties of Laws; by freeing Men from Arrests, in calling them to appear before the King's Council; and in Causes highly Criminal, relieving the Guilty, by commanding the Judges to make Stay of all Proceedings, till further Orders from the King; and by writing Letters of Favour for Money, to Judges of the Assize; so that Juries were over-ruled, and their Verdicts set aside, by only pleading, that Persons found Guilty of possessing another Man's Estate, had fined for it to the Lord of the Manor.

BUT the Time would fail us to recount only the Heads of the enormous Court Iniquities under our ancient Constitution; it was all one horrible Scene of Wickedness in high Places; no Subject's Life nor Estate were safe, if the King had a Mind to take them.

BUT, if we come down to the Reigns of the Stuarts, we shall find all those Kings of the Scottish Race endeavoured to make all those dreadful Wildnesses of Prerogative legal. Charles I. declared, 'That Parliaments themselves were, by the Constitution, to BE, or NOT TO BE at his Pleasure; that they had no Right to call the meanest of his Servants to an Account; that he might lawfully raise Money, and levy Taxes, without them; that his Proclamations were Law, and bound the Subject's Conscience under Pain of eternal Damnation.' And in the Reign of Charles II. the Constitution itself, or, at least, the sole Design and End of it was given up by a Law and an Oath.

THE Militia Act says, 'That both or either Houses of Parliament, nor the People collectively or representatively, cannot, nor lawfully may raise or levy War Offensive or DEFENSIVE against his Majesty, his Heirs, &c.' But their Loyalty not being satisfied with these Words, a particular Oath was added, viz. 'I A. B. do declare and believe, that it is not lawful, ON ANY PRETENCE WHATSOEVER, to take up Arms against the King, &c.'

THIS Law and Oath was establishing indeed, as the Craftsman says, Parliamentary Tyranny and Legal Slavery; for if it was not just to levy War Defensive, or take up Arms, on any Pretence whatever, against the King; then it follows, that the King might do what he pleased with us and our Posterity; for our Lives and Estates were absolutely in him, when no Subject had a Right to resist.

KING James succeeded his pious Brother, and fastens all those Chains upon us, by declaring, and getting his Judges to declare, 'That 'twas Legal in the King to dispense with all the Laws.' This was the stop Stone of the Building; Prerogative was now finished: but no sooner finished, than demolished: For the Revolution succeeded in spite of all Prerogative, legal and illegal. The Prince of Orange landed; the People joined him, made him King, destroyed Prerogative, and establish'd Liberty.

THE Bill of Rights ascertained all those disputable Points of Prerogative and Liberty, which had, till that Time, been insisted on either by the Crown or the People; and the Bounds of them both were so distinctly marked out, and so determinately fixed, that 'twas impossible for the future to mistake them.

THIS therefore is our great Felicity, that we have reduced our Government to a perfect State of Law, and left no Prerogative in the Crown inconsistent with the Laws of the Realm, or the Nature and Design of the Constitution. The Chimera of Prerogative is removed, and Law presides over all; not only over every Subject, but over the King himself.

BUT, according to the Doctrine of the Craftsman, we have got nothing by this Change; for we are now in a State of Parliamentary Slavery and Legal Tyranny.

THIS Subject we'll consider at large, when we have seen Mr. D'Anvers's Reply.

F. OSBORNE.

Yesterday arrived a Mail from Holland.

The most material Advices are from the Court of Russia, being Letters from the Velt Marshal Count Munich, dated the 20th of May last O. S. from his Army at Wabstat behind the Lines of Precep, of which the following Extract has been communicated by the Czarina's Ambassador at the Hague, to the President of the Assembly of the States General.

I March'd on with the Army without Interruption, till the 6th in the Evening, when the Enemy appeared in Sight near the little River Drutzkay. Next Day a great Body of Tartars posted themselves opposite to our Right Wing, over-against Kafikkarmen. On the 8th I sent out 5 large Detachments to give the Enemy Chace, and in a little time they sent me two Prisoners they had taken, by whom I learned that the Army of the Tartars, consisting of above 100,000 Men, was encamp'd near Czernoy Dolenski, but 20 Leagues from our's, and that it was commanded by the Kan of the Tartars in Person, who was joined by all the Princes of the Crim Tartary. Mean time the 5 Detachments which I had made, advancing a little too forward, were quickly encompassed by above 30,000 Tartars who attacked them; but they defended themselves with great Bravery, and were timely relieved by a fresh Detachment that I sent them of Horse, Foot and some Cannon, which, with the Loss of very few Men, obliged the Tartars to retire. Major General Spiegel and Colonel Weisbach were both wounded upon this Occasion, and a Lieutenant of Dragoons, and one of my Adjutants are among the Slain.

The 9th was a Day of Rest for my Troops; but the next Day I caused the whole Army to march again in square Battalions, that we might front the Enemy every Way, in case of an Attack: But that and the two Days following the Enemy retired as fast as we advanced; so that every Night we came to the very Ground from which the Tartars had decamped in the Morning. I was then informed by a Prisoner, that all the Inhabitants of the Crim Tartary, fit to bear Arms, had received Orders to join their Army, and he confirmed that it consisted of above 100,000 Men. On the 13th two Couriers were intercepted, who were going to the Kan, with Letters from Constantinople. The Dispatches were brought to me, which contained original Letters from the Grand Vizier.

The 14th the Army rested again; but had scarce begun their March the next Day, when it was surrounded by the Tartars, who attacked our square Battalion in Front and Rear. I did not think proper to fire the small Arms, but cannonaded them with such Vigour, Dispatch, and Success, that the Tartars were broke and put into Disorder, and every-where repulsed with Loss, which was much the greater, by reason of the Precipitancy of their Flight. At the same time, without halting, we continued our March, and penetrated thro' the Midst of them towards Precep, attacking them by the Way, which put them into such a Consternation, that they retired, in the utmost Hurry, behind their strong Lines; and we went and incamped, without any Hinderance, in Sight of that Fortrefs. Our Loss that Day was very inconsiderable.

The 16th we rested again; but next Day I advanced with my Army under the very Cannon of Precep; upon which the Tartars made a very vigorous Sally from their Line; but they were briskly repulsed by our Cossacks of the Don River, who killed several of their Men. On the 18th and 19th I formed a false Attack on the Enemy's Right Wing, by which Means I obliged them to bend their Force that Way, and the greatest Part of their



non, and took Advantage of that Change of their Situation to bombard Fort Precop on both those Days.

Yesterday, after Sun-set, I decamped with the Army, and we marched all Night towards the Enemy's Left Wing, it being so dark that they did not perceive our Approach, and at Day-break, just as the Kan was at his Morning Prayers, we attacked their Lines, and at 4 o'Clock in the Morning forced them, after a very sharp and obstinate Dispute; for the Lines were exceeding strong, and fortified with Stone Towers about a Cannon-shot from each other; but it has pleased Almighty God, that we have surmounted the Difficulties, and gained a Victory, which is the more compleat, because our whole Army is now entered into the said Lines, after having taken by Storm five of the Towers which defended them, and several Pieces of Cannon, which they had levelled at our Intrenchment. The Kan, who attacked our Army with above 100,000 Men, had much ado to get off with his Life, and his Army followed in such Disorder, as is not easy to be represented. All the Tartars, in short, are fled into Crim Tartary, to which the forcing of the Lines has now opened our Way; and I have this Day taken such Measures, that I have cut off all Manner of Communication on the Part of the Turks and Tartars, with the Thousand Janizaries that are in the Town and Castle of Precop.

Of all this I shall forthwith send a more exact and circumstantial Account; but, in the mean time, I may add to what is above, that the Tartars have lost a great Number of Men, besides the many Prisoners we have taken; whereas, on our Part, we had only a Captain, and a few Soldiers killed at the taking of the Lines, and a Lieutenant and some Soldiers wounded.

A Letter from Petersburg of June 2. O. S. brings these farther Particulars, That the Tartars Intrenchment, which had a Ditch before it 48 Ells broad, was 7 Russian Miles in Length, and 16 Ells in Height; that Count Munich's Army consisted of 80 Battalions, 55 Squadrons, and 30,000 Cossacks and Calmucks; that the scaling Ladders being too short to reach the Top of the Intrenchment, the Russians made use of Chevaux de Frise, which they tied to one another, and by that Means clambered up to the Top, in Defiance of a Shower of Arrows and Darts from the Tartars; that the Kan, when he fled, left his Tent behind; that the Suburb of Precop, which is behind the Intrenchment, was pillaged immediately after the Action, notwithstanding Count Munich had ordered the Soldiers not to enter it, for fear some Ambush had been laid there by the Tartars; that the Town of Precop is only fortified with a Rampart of Earth, which is pretty broad, and flanked at proper Distances by Redoubts of Stone, and that the Russians are actually entered into Crim Tartary.

The News of the above-mentioned Victory is moreover confirmed by an Express which the Baron de Brackel, the Czarina's Envoy Extraordinary at Berlin, received on the 12th Instant O. S. with this Addition, that after the Action, Count Munich forced the Isthmus which joins the Peninsula of Crim Tartary to the Nogajan Tartary, and not only open'd the Bar at Precop, which shut up the Entrance into the Crim Country; but had taken the Town and Castle of that Name, and then entered with his Army into Crim Tartary.

Mean time the News we had of the Conquest of Alope seems dubious; for according to the Advices from Petersburg, M. de Keyzerling, Aid de Camp to Velt Marshal Laszy, who carries on the Siege, arrived at the Russian Court on the 31st ult. with an Account that the said General had erected several new Batteries and doubled his Fire against the Place, tho' he had a numerous and serviceable Train of Artillery, and all Necessaries in Abundance, except Water, which was indeed very bad, and tho' he had repulsed the Besieged in a vigorous Sally they made, yet the Garison had Ammunition and Provisions enough for a whole Year: However the Marshal hoped to be soon Master of the Place, because the Besieged did not fire in the Night, which gave his Troops the more Time to carry on their Approaches, while the Russian Flotilla deprived the Besieged of all Hopes of Succours. M. de Keyzerling adds, that one Day as this Marshal was going in his Chariot to the Camp, he had like to have been taken napping by a Party of 700 Tartars, who surprised him so suddenly, that he had but just time to make his Escape upon the Back of one of the Coach Horses, leaving all his Equipage and Papers to the Plunder of the Tartars; but by good Luck they left the Papers scattered upon the Spot, where they have been since found again without so much as a Leaf missing.

An Express is dispatched to Constantinople from

Petersburg, with a very long Letter, which the Vice Chancellor Osterman has written by the Czarina's Order to the Grand Vizier, wherein he tells him, 'That if the Porte will but call to mind all the Damages which Russia has suffered for many Years past from the Turks, as well as all the Wrongs which she has suffered by their Means, they cannot be astonished at the Resolution which her Czarish Majesty has taken to express her just Resentment, and to procure herself such a Satisfaction as is due to her Dignity, by taking the Field against the Turks and Tartars, &c.'

On the other hand, M. Tahlman, the Emperor's Minister at Constantinople, has sent to his Court the Turks Declaration of War against Russia, consisting of two large Sheets of Paper, wherein the Porte, after setting forth the Motives of their Resolution for a War, declare, 'That they don't mean to include the Emperor in the said Rupture, because his Imperial Majesty has employ'd his Mediation to prevent it; and that therefore the Grand Signior hopes that he will have nothing to do with the War, which is going to be undertaken against Russia.' Nevertheless the Turks continue to fortify Widdin on the Frontiers of Hungary, the Garison of which they have reinforced with 6000 Men, and are also fortifying divers other Posts of Turkey in Europe.

The Duke de Montemar still continues with his Spaniards in Tuscany, and there is no News from Italy by this Post more remarkable, than what comes by a particular Hand from Corfica, viz. That a great many Copies of the Genoese Manifesto had been return'd from that Island with these Words, either at the Beginning or End of it, namely, *Long Live Theodore I. King of Corfica!* and that when the said Manifesto was first shewn to Theodore, he said, with a Smile, *Since the Genoese have endeavoured to make me pass for a Mountebank, I hope soon to demonstrate what Conjurers they are, and to set up my Stage in the middle of the City of Rastia.*

L O N D O N.

On Tuesday last Mr. Peter Hayward of the City of Canterbury, Attorney at Law, was appointed by the Right Hon. the Lord High Chancellor of Great Britain, one of the Masters Extraordinary of the Court of Chancery.

They write from Worcester, that Dr. Taylor, Oculist to his Majesty, &c. arrived in that Town, in his Way to Chester, Lancaster, &c. and that many hundred Strangers were arrived from the neighbouring Countries to endeavour to procure his Assistance. We are assured, that the 18th of September next is fixed for his being at his House in Suffolk-street, and that, after about 10 Days Stay, he will proceed thro' Canterbury for France, being called to a Lady of very great Distinction for his Assistance, in removing, by his new Operation, that Disease in the Eye, called a *GUTTA SERENA*. In a few Weeks will be published a List of the Names and Habitations of the most considerable Persons Dr. Taylor has recovered to Sight by his new Operation for the CATARRACT and GLAUCOMA since he has been on his present Circuit; and it will appear, that the several Persons therein mentioned, have been restored by him, without his having had any Regard, either to the Species or State of Maturity, or without the Patient's suffering the least Pain, or having been obliged to any Confinement; and that since this Gentleman has made no Secret of his Manner of making his new Operation, and has demonstrated to every Judge, in his Treatise on this Subject, and also to many Hundreds of the principal of the Faculty of this Kingdom, as well as Abroad, who have been present on these Occasions, the Impossibility of his exposing his Patient to the least painful Accident; and as no one educated in the Faculty can be so grossly ignorant, as not to know, that, by the ordinary Operation, he exposes his Patient to the most violent Inflammation, and total Loss of Sight, 'tis presumed, that no honest Man will, for the future, ever attempt the ordinary Operation, nor any Man in his Senses will submit to it.

The following is a Letter sent to Dr. Taylor, from the Son of Mr. Wilcocks, an eminent Merchant of Bristol, whom the Doctor had lately recovered to Sight by his new Operation, without Pain or Confinement.

To Dr. Taylor, Oculist to his Majesty,

S I R,

THE Pleasure I take in acquainting you, that my Father's Sight, which you restored the 9th Instant, with so little Pain, continues, without any bad Symptoms attending it, is very great. He has not felt the least Pain since the Operation, so that as I now apprehend his Eye to be past all Danger, I heartily wish you equal Success in all your Undertakings, who am,

Sir, Your very humble Servant,

Bristol, June 16.
1736.

JOHN WILCOCKS.

Yesterday Bank Stock was 149. India 177, for the Opening. South Sea 99 5-8ths, for the Opening. Old Annuity 112 1-half. New ditto, 112 1-half, for the Opening. Three per Cent 104 5-8ths to 3-4ths, for the Opening. Emperor's Loan 117 1-half. Royal Assurance 110. London Assurance 14 3-8ths to 1-half. York Buildings 2. African 15. India Bonds 61. 17 s. Prem. Three per Cent. ditto 51. 10 s. Prem. South Sea Bonds 61. 4 s. Premium. New Bank Circulation 71. 5 s. Prem. Salt Talties 4 to 6 1-half Prem. English Copper 21. 3 s. Welsh ditto, no Price. Three 1-half per Cent. Exchequer Orders 6 1-4th per Cent. Prem. Million Bank 115.

This is to give Notice,

THAT the Commissioners appointed by Act of Parliament, for building a Bridge across the River Thames, from the New Palace Yard in the City of Westminster, to the opposite Shore in the County of Surry, will meet at the Jerusalem Chamber at the Deanry of Westminster, on the 23d of July next, at Ten o'Clock in the Forenoon.

THE Managers and Directors of the Lottery appointed by an Act passed in the last Session of Parliament, for building a Bridge across the River Thames from the New Palace Yard in the City of Westminster, to the opposite Shore in the County of Surry, do hereby give Notice, that they have, pursuant to the Directions of the said Act, appointed the Payments of the Contributors to the said Lottery to be made into the Bank of England, in the Proportions, and at the Times following, viz. Twenty Shillings on each Ticket to be paid at the Time of subscribing, for which Purpose Books will be opened the 30th of this Instant June, and continue so to the 2d of August following, unless the Subscription be completed before that Time; Forty Shillings more to be paid on each Ticket on or before the 10th of September next, and the remaining Forty Shillings on or before the 1st of November following.

To be Sold by Auction,

ON Wednesday the 30th of June, and Thursday the 1st of July next, the entire Household Goods of Isaac Lemyng Rebow, Esq. deceased, at Head Gate, in Colchester: Consisting of several Sorts of Standing Bed, Bedding, Window Curtains, Chairs, Pier-Glasses, and Chimney-Glasses, &c. The Goods to be view'd on Saturday the 26th, Monday the 28th, Tuesday the 29th, and Wednesday the 30th of June, till 11 o'Clock, at which Time the Sale will begin. Catalogues to be had at the Place of Sale, or at William Richardson's at the Star in the East, on Tower-hill, London. N. B. The House, with a large Garden wall'd round, and well planed, is to be Let.

TICKETS in the LOTTERY, for the Year 1736. Bought and Sold By RICHARD SHERGOLD, Broker, At his Office at the Union Coffee-House, over-against the Royal Exchange, Cornhill.

WHERE NUMERICAL BOOKS will be kept during the Drawing, and also a Register Book, where any Person entering their Numbers at 6d. per Ticket, may have an immediate Account sent them of their Success, if in Town, and by the First Post to any Part of Great Britain.

N. B. One Door of the abovesaid Coffee-House comes into Exchange Alley over-against Jonathan's.

The Lottery consists of 125000 Tickets, at 5 s. each. Distribution of BLANKS and PRIZES.

No.	1.	2.
1 — of — 20000 — is — 20000		
2 — — — 10000 — — — 10000		
3 — — — 5000 — — — 15000		
10 — — — 3000 — — — 30000		
40 — — — 1000 — — — 40000		
60 — — — 500 — — — 30000		
100 — — — 200 — — — 20000		
200 — — — 100 — — — 20000		
400 — — — 50 — — — 20000		
1000 — — — 20 — — — 20000		
25000 — — — 10 — — — 250000		
30616 Prizes, amounting to — 523000		
94384 Blanks.		
First Drawn — — — 1000		
Last Drawn — — — 1000		
125000		525000

The Prizes to be paid at the Bank, in Forty Days after the Drawing, without any Deduction whatsoever.

N. B. There is but little more than Three Blanks to a Prize.

The abovesaid Richard Shergold buys and sells South-Sea, Bank, and India Stocks, with the several Annuities; South-Sea, and India Bonds, and all Government Securities: And succeeds Casting and Jackson in publishing every Tuesday and Friday the Paper of the Course of Exchange, Price of Stocks, &c.

All Letters that I receive from Correspondents in the Country shall be duly answered, provided they are sent me with the Postage paid.

R. SHERGOLD.

LONDON: Printed for T. COOPER, at the Globe in Pater-noster-Row.